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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.A.(COMM.IPD-PAT) 131/2022**

XIAOMI INC THROUGH VARUN SHARMAAppellant

Through: Mr. Manish Aryan, Ms. Manisha Singh, Mr. Abhay Pandey, Mr. Varun Sharma, Mr. Nishant Rai, Ms. Anju Agrawal, Mr. Gautam Kumar, Ms. Swati Mittal, Ms. Shivani Singh, Mr. Dhruv Tandan and Ms. Akhya Anand, Advocates.

versus

**CONTROLLER GENERAL OF PATENTS,
DESIGNS & TRADEMARKS & ANR.**

.....Respondents

Through: Ms. Saumya Tandon, CGSC with Mr. Prakhar Mani Tripathi, Advocate with Mr. Santosh Kumar Gupta, Assistant Controller of Patents (through VC).

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER

% **29.04.2025**

1. Pursuant to the order passed by this Court on 25th April, 2025, counsel for the appellant has returned with instructions and submits that the appellant is willing to amend the claims in the patent application no.201617007708 so as to make them in line with the claims filed by the appellant in the U.S.A.

2. Accordingly, the appellant is permitted to file amended claims strictly

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in terms of the claims filed by the appellant in U.S.A. in respect of the corresponding patent application.

3. Upon the said amended claims being filed, the respondents shall consider the same on merits.

4. The Assistant Controller will issue a fresh hearing notice to the appellant pursuant to which a hearing would be granted and the Assistant Controller would pass an order on the merits of the case.

5. The Registry is directed to send a copy of the present order to the office of the Controller General of Patents, Designs and Trade Marks at the e-mail- *llc-ipo@gov.in* for compliance.

6. It is made clear that the aforesaid order has been passed in the peculiar facts and circumstances of the present case and will not be treated as a precedent. Further, no observations have been made with regard to the merits of the matter.

AMIT BANSAL, J

APRIL 29, 2025

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